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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/740,268	12/18/2003	Thanh V. Lam	POU920030213US1	2259
7590	05/16/2005		EXAMINER	
Lawrence D. Cutter, Attorney IBM Corporation, Intellectual Property Law Dept. 2455 South Rd., M/S P386 Poughkeepsie, NY 12601			WASHBURN, DOUGLAS N	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Office Action Summary

Application No.

10/740,268

Applicant(s)

LAM ET AL.

Examiner

Douglas N. Washburn

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 18 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input checked="" type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hinckley (US 6,002,869)(Hereafter referred to as Hinckley).

Hinckley teaches:

A job submission engine (JSE) {Test Specification/Test History Reader} receiving input regarding first attributes unchanged from a first computing environment and second attributes representing change from the first computing environment in regard to claim 1

(e.g.; column 13, lines 47-55; figure 8, element 803);

A job control file generator (JCFG) {Test Case Generator} in electronic communication JSE automatically generating job control files (JCF) controlling testing of a computing environment according to values of first attributes generated based on an automatic sampling of values, and values of second attributes in regard to claim 1

(e.g.; column 13, lines 5-9; figure 8, element 808);

A JSE automatically submits JCF to a computing environment for execution and automatically monitors execution according to JCFs in regard to claim 1

(e.g.; column 13, lines 47-55; figure 8, element 803);

Automatic sampling of values is a random sampling in regard to claim 2

(e.g.; column 15, lines 6-8);

Automatic sampling of values based upon a user-specified probability that a value should fall within a particular range of values in regard to claim 3

(e.g.; column 15, lines 6-8);

Automatic sampling of values is based upon a user-specified probability that a particular value should occur in regard to claim 4

(e.g.; column 11, lines 11-13);

A JSE comprises a user interface receiving input regarding at least some of second attributes through the user interface in regard to claim 5

(e.g.; column 5, lines 32-35; figure 1, element 110);

A JCFG is operable to generate JCFs based on values of second attributes provided through a user interface in regard to claim 6

(e.g.; column 6, lines 47-51);

One or more agents automatically analyzing results of performing tests of a computing environment according to JCFs in regard to claim 7

(e.g.; column 15, lines 17-45);

A JCFG generating JCFs including parameters for controlling submission of JCFs through a job queuing system of a computing environment in regard to claim 8

(e.g.; column 13, lines 15-23);

A JCFG generating JCFs by reference to a template file storing values of generic attributes obtained from input received by JSE by employing one or more value-setting methods in regard to claim 9

(e.g.; column 9, lines 41-44);

A JCFG generating JCFs by reference to a script file storing special job request attributes in regard to claim 10

(e.g.; column 9, lines 41-52);

A JCF includes one or more job control commands in regard to claim 11

(e.g.; column 9, lines 41-52);

An agent operable to review results of performance of JCFs in regard to claim 12

(e.g.; column 13, lines 64-67);

An agent is comprised of a plurality of special task agents in regard to claim 13

(e.g.; column 13, lines 64-67);

Special task agents include a job results analysis agent in regard to claim 14

(e.g.; column 13, lines 28-31; figure 2, element 208);

Special task agents include an error analysis agent in regard to claim 14

(e.g.; column 11, lines 1-3; figure 2, element 202);

An error analysis agent includes a sub-task agent operable to analyze job cancellations and another sub-task agent operable to analyze on-hold jobs in regard to claim 15

(e.g.; column 15, lines 46-64);

Obtaining attributes of a computing environment to be tested, including first attributes unchanged from a first computing environment, and second attributes representing change from the first computing environment in regard to claim 16

(e.g.; column 13, lines 47-55);

Generating values of first attributes to be tested based on an automatic sampling of values in regard to claim 16

(e.g.; column 13, lines 5-9);

Generating values of second attributes in regard to claim 16

(e.g.; column 13, lines 5-9);

Automatically generating computer readable instructions for performing testing of a computing environment based on generated values of first and second attributes in regard to claim 16

(e.g.; column 13, lines 5-9);

Automatic sampling of values is a random sampling of values in regard to claim 17

(e.g.; column 15, lines 6-8);

Second attributes include a dynamic set of values changeable from test run to test run in regard to claim 18

(e.g.; column 14, lines 46-56);

Second attributes include a user provided special requirement attribute in regard to claim 19

(e.g.; column 14, lines 52-56);

Obtaining attributes of a computing environment to be tested, including first attributes unchanged from a first computing environment, and second attributes representing change from the first computing environment in regard to claim 20

(e.g.; column 13, lines 47-55);

Generating values of first attributes to be tested based on an automatic sampling of values in regard to claim 20

(e.g.; column 13, lines 5-9);

Generating values of second attributes to be tested thoroughly in regard to claim 20

(e.g.; column 13, lines 5-9);

And automatically generating computer readable instructions for execution of tests for a computing environment based on generated values of first and second attributes to be tested in regard to claim 20

(e.g.; column 13, lines 5-9).

Conclusion

2 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas N. Washburn whose telephone number is (571) 272-2284. The examiner can normally be reached on Monday through Thursday 6:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

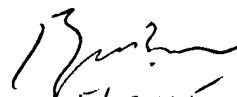
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DNW

BRYAN BUI
PRIMARY EXAMINER



5/12/05